

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : MØLLER LARSEN, Flemming, et al.
Serial No. : 10/534,769
Filed : May 12, 2005
For : LIGHTNING PROTECTION OF A PITCH-CONTROLLED
WIND TURBINE BLADE

I hereby certify that this paper is being deposited this date with the U.S. Postal Service in first class mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, VA 22123-1450.


Donald S. Dowden
Reg. No. 20,701

Date:
August 18, 2006

COOPER & DUNHAM LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400
August 18, 2006

RENEWED PETITION UNDER 37 CFR 1.47(a)

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In a decision dated February 23, 2006, the Legal Examiner dismissed without prejudice applicant's petition under 37 CFR 1.47(b) to accept the application identified above with a signed declaration by one of the inventors, namely Lars Bo Hansen, but without a signed declaration by the other inventor, namely Flemming Møller Larsen. We respectfully request reconsideration on the merits. No additional petition fee is required.

The decision lists required items (1)-(4) and indicates that all but item (2) have been met. The decision states that as to item (2), it is not clear whether it is being alleged that non-signing inventor Flemming Møller Larsen refuses to execute the application or that he cannot

be reached after diligent effort. It further states that to establish a refusal to sign, it is required that the inventor be presented with the application papers (specification, including claims, drawings, and oath or declaration).

We are accordingly submitting herewith the following:

Exhibit A: Printout of a question put by the undersigned to biblioteksvagten@biblioteksvagten.dk, a reference service in Denmark (hereinafter "the reference service"), and of the reply thereto

Exhibit B: Copy of a letter to Mr. Flemming Møller Larsen dated August 8, 2006 (hereinafter "the letter")

Exhibit C: Copy of FedEx international air waybill

Exhibit D: Printout of FedEx tracking report

Discussion

Exhibit A gives the current address of Flemming Møller Larsen as provided by the reference service. This is the same address as the one indicated in applicant's original petition and provides confirmation that the address has not changed.

Exhibit B shows that the letter presented Mr. Flemming Møller Larsen with the application papers (specification, including claims, drawings, and declaration), as required in the decision, that he was requested to return the executed declaration by August 18, 2006, and that a return Federal Express envelope was provided for his convenience in doing so.

Exhibit C shows that the letter with its enclosures was sent by Federal Express to Mr. Flemming Møller Larsen at the address provided by the reference service. It also shows that the tracking number is 8554 6731 8032.

Exhibit D shows that the envelope with that tracking number was delivered at 9:45 a.m. on August 10, 2006.

At approximately 11:00 a.m. EDT today (5:00 p.m. in Denmark), the undersigned called the mobile telephone number provided by the reference service. The call was

answered, but when the undersigned identified himself, the person who answered the call hung up.

As of 5:00 p.m. August 18, 2006, the office of the undersigned has not received the requested reply from Mr. Flemming Møller Larsen.

On information and belief, therefore, the undersigned declares that Mr. Flemming Møller Larsen has been contacted and has been presented with the application papers (specification, including claims, drawings, and declaration), but refuses to sign the declaration.

It is therefore respectfully requested that the application be accepted as made by Lars Bo Hansen on behalf of himself and Flemming Møller Larsen.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Respectfully submitted,
COOPER & DUNHAM LLP



Donald S. Dowden
Reg. No. 20,701

DSD:at
Encls.

Donald S. Dowden

From: biblioteksvagten@biblioteksvagten.dk
Sent: Wednesday, July 26, 2006 2:07 AM
To: Donald S. Dowden
Subject: Svar fra Biblioteksvagten - Nyt spørgsmål modtaget fra bibliotek.dk

Kære Donald S. Dowden

Yes in the directory "Krak" Mr. Flemming Larsen is living at that adress. His mobil number is: 22356180

Du kan give en bedømmelse af svaret på følgende link:

<http://biblioteksvagten.dk/UserReview.asp?id=99687&ts=632894614272730000>

Med venlig hilsen

Margrethe Krogh
Biblioteksvagten.dk
Tlf: 70 27 07 17
Bemandet åbningstid:
Mandag - torsdag 08 - 22
Fredag 08 - 20
Lørdag 08 - 16
Søndag 14 - 22

Du har spurgt om:

I am sorry but I do not speak Danish. I am a patent attorney trying to determine if Mr. Flemming Moller Larsen still resides at the following address: Finksvej 5, Stubbum DK-6070 Christiansfeld Denmark Is he listed in the telephone directory at that address? Can you provide a telephone number? Thank you.

Donald S. Dowden

From: Biblioteksvagten [biblioteksvagten@biblioteksvagten.dk]
Sent: Tuesday, July 25, 2006 3:57 PM
To: Donald S. Dowden
Subject: Biblioteksvagten har modtaget dit spørgsmål

Du har stillet følgende spørgsmål til Biblioteksvagten:

I am sorry but I do not speak Danish. I am a patent attorney trying to determine if Mr. Flemming Moller Larsen still resides at the following address: Finksvej 5, Stubbum DK-6070 Christiansfeld Denmark Is he listed in the telephone directory at that address? Can you provide a telephone number? Thank you.

Biblioteksvagten vil svare på dit spørgsmål så hurtigt som muligt inden for vagtens bemandede åbningstid:

Mandag - torsdag 08 - 22
Fredag 08 - 20
Lørdag 08 - 16
Søndag 14 - 22

Med venlig hilsen

Biblioteksvagten
www.biblioteksvagten.dk

COOPER & DUNHAM LLP

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JAMES R. MAJOR, D. PHIL.

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* NEW YORK STATE BAR ADMISSION PENDING

August 8, 2006

By Federal Express

Mr. Flemming Møller Larsen
Finksvej 5, Stubbum
DK 6070 Christiansfeld
Denmark

Re: U.S. patent application No. 10/534,769
(national stage of international application PCT/DK2003/000778)
claiming priority of Danish patent application PA 2002 01745
for patent covering an invention
of Flemming Møller Larsen and Lars Bo Hansen
for lightning protection of a pitch-controlled wind turbine blade
(Our Docket 1175/74050)

Dear Mr. Møller Larsen:

We understand that you are a joint inventor with Lars Bo Hansen of an invention described by Danish patent application PA 2002 01745, upon which the US patent application identified above is based and of which it claims the priority. On November 20, 2002, you and Mr. Hansen executed an assignment of the Danish patent application to LM Glasfiber A/S, having a post office address at Rolles Mollevæj 1, DK 6640 Lunderskov, Denmark.

By your assignment of the Danish patent application, you assigned "the entire right, title and interest in and to said Danish patent application and in and to said invention for all countries of the world, including all priority rights under the International Convention for the protection of Industrial Property associated with said Danish patent application and the entire exclusive right to any and all Letters Patents or the like which may be granted anywhere on said invention."

We are enclosing herewith the following:

1. A copy of the assignment of the Danish patent application;
2. A copy of the US patent application, including 14 pages of specification, claims and abstract, four sheets of drawings, and a declaration (including a power of attorney) naming you and Mr. Hansen as joint inventors but executed only by Mr. Hansen;
3. Two copies of an unsigned declaration (including a power of attorney) naming you and Mr. Hansen as joint inventors;

Mr. Flemming Møller Larsen

August 8, 2006

Page 2

4. Two copies of an assignment of the US patent application, each dated and signed by Mr. Hansen and providing a blank space for your signature and date of signing;

5. A prepaid, self-addressed Federal Express envelope for your convenience in returning papers to us as requested below.

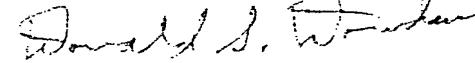
The US patent application was filed without your signature to the declaration executed by Mr. Hansen. We request that you now join in the application by reading, dating and signing either enclosed unsigned declaration and returning it to us in the enclosed Federal Express envelope. We request that you also read, date and sign either enclosed copy of the assignment of the US patent application and return the executed assignment to us in the same envelope. (It is desirable but not necessary to have someone witness your signature to the assignment.) When we receive the executed papers, we will file the executed declaration and record the executed assignment in the US Patent and Trademark Office.

The enclosed papers except for the two that we request you to execute and return to us are for your file.

If we do not receive at least the executed declaration by August 18, 2006, we will construe this as a refusal to join in the US patent application and will request that the US Patent and Trademark Office process the application without your signature to the declaration.

We thank you for your cooperation.

Sincerely,


Donald S. Dowden

DSD/at
Encls.

FedEx® International Air Waybill

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1 From Please print and press hard.
Date: 08-08-2006 Sender's FedEx
Account Number: 0100-9324-44

Sender's Name Donald S. Dowden, Esq. Phone 212-278-0400
Company COOPER & DUNHAN

Address

Address 1105 AVENUE OF THE AMERICAS

City NEW YORK **State** NY
Province

ZIP 10036-2615 **Postal Code** 10036-2615

2 To Recipient's Name Mr. Flemming Moller Larsen 22356180
(mobile number)

Address Finkvej 5, Stubbum Dept/Floor

City DK 6070 Christiansfeld **State/ Province**

Country DENMARK **ZIP**
Postal Code

Recipient's Tax ID number for Customs purposes
e.g.社團登記號碼, or as locally required

3 Shipment Information For EU Duty-Tick here if goods are not in free circulation and provide C.I.

Total Packages **1** Total Weight **1** lbs. **kg** **1** / **DIM** **1** in. **cm**

Commodity Description **REQUIRED** Harmonized Code Country of Manufacture Value for Customs
REQUIRED

Legal Documents COMPLETED **1** Total Weight **1** lbs. **kg** **1** / **DIM** **1** in. **cm**

TOTAL DECLARED VALUE FOR CARGO **1** Total Declared Value for CARGO **1** in. **cm**

For U.S. Export Duty Check One No SED required, value \$250 or less
 per Schedule B commodity number
 No SED required per Exemption

SED matched (provide export license no. and exp. date _____
or phone exception approval, when applicable)

Total Value for Customs
(specify currency)

Form ID No. **8554 6731 8032**

FedEx
 Tracking
 Number

PART 1400-PW Date 10/03
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500

0402

For Completion Instructions, see back of fifth page.

Commodity Description	Harmonized Code	Country of Manufacture	Value for Customs <small>REQUIRED</small>
REQUIRED			

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Tracking number	855467318032	Reference	1175/74050
Signed for by	K.JENSEN	Destination	christiansfield DK
Ship date	Aug 8, 2006	Delivered to	Receptionist/Front Desk
Delivery date	Aug 10, 2006 9:45 AM	Service type	Priority Pak
		Weight	0.7 lbs.

Status Delivered

Date/Time	Activity	Location	Details
Aug 10, 2006	9:45 AM Delivered	christiansfield DK	
	9:06 AM On FedEx vehicle for delivery	KOLDING DK	
	8:39 AM At local FedEx facility	KOLDING DK	
	7:56 AM In transit	KASTRUP DK	
	6:10 AM Int'l shipment release	KASTRUP DK	
Aug 9, 2006	10:05 PM Departed FedEx location	PARIS FR	
	-8:11 PM Arrived at FedEx location	PARIS FR	
	5:54 AM Departed FedEx location	NEWARK, NJ	
	2:01 AM Departed FedEx location	NEWARK, NJ	
	12:24 AM Arrived at FedEx location	NEWARK, NJ	
Aug 8, 2006	9:30 PM Left origin	NEW YORK, NY	
	6:38 PM Picked up	NEW YORK, NY	

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